

# FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP  
600 CONGRESS AVENUE, SUITE 2400  
AUSTIN, TEXAS 78701-2978  
WWW.FULBRIGHT.COM

MDELAPAZ@FULBRIGHT.COM  
DIRECT DIAL: (512) 536-5639

TELEPHONE: (512) 474-5201  
FACSIMILE: (512) 536-4598

January 4, 2010

Commissioner for Patents  
Attn: Kevin Kai Hill, Examiner  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

CERTIFICATE OF ELECTRONIC TRANSMISSION  
37 C.F.R. § 1.8

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office via EFS-Web on the date below:

January 4, 2010  
Date

*MDeLaPaz*  
Monica A. De La Paz

RE: *U.S. Patent Application No. 10/733,212 entitled "REGULATION OF CELL GROWTH BY MUC1" – Donald W. KUFE*  
*Confirmation No.: 7998*  
*Our reference: GENU:009USD1*

Dear Examiner Hill:

After reviewing each of the Office Actions and the Notice of Allowability, it has come to our attention that the Supplemental Information Disclosure Statement, Form PTO-1449 and nine references submitted on December 19, 2006, were apparently never signed off by an Examiner.

The Final Office Action mailed on June 12, 2007, stated at the top of page 3:

Applicant has filed Information Disclosure Statements on February 25, 2005 and December 19, 2006 that has been considered. The citation AW, Yamamoto et al, of the IDS filed December 19, 2006 has been lined through because the Examiner has already entered this reference into the prosecution history of this application. The signed and initialed PTO Forms 1449 is mailed with this action.

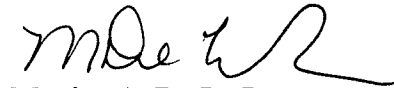
However, no signed and initialed PTO Forms 1449 were attached to that Office Action. For your convenience we have enclosed a copy of the Supplemental Information Disclosure Statement and Form PTO-1449 that were filed with the Patent and Trademark Office (PTO) on December 19, 2006. The copies of the references previously submitted have not been enclosed. Please let us know if you would like us to resubmit those as well.

Please review and approve this Supplemental Information Disclosure Statement. If you need additional information, please let us know.

Commissioner for Patents  
January 4, 2010  
Page 2

Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'MDeLP', with a long, sweeping horizontal stroke extending to the right.

Monica A. De La Paz

MAD/jst  
Attachments

# **Exhibit**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Donald W. Kufe                      Art Unit : 1633  
Serial No. : 10/733,212                      Examiner : Kevin Kai Hill  
Filed : December 11, 2003                      Conf. No. : 7998  
Title : REGULATION OF CELL GROWTH BY MUC1

**MAIL STOP AMENDMENT**

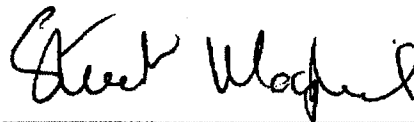
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Applicants request consideration of the references listed on the attached PTO-1449 form. Under 37 C.F.R. § 1.98 (a)(2)(ii), only copies of foreign patent documents and/or non-patent literature are enclosed. A copy of a communication from a foreign patent office in a counterpart application is also enclosed.

This statement is being filed after a first Office action on the merits, but before receipt of a final Office action or a Notice of Allowance. I, the undersigned, hereby certify that each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application, the communication being dated November 2, 2006, which is not more than three months prior to the filing of this statement. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,



Stuart Macphail, Ph.D., J.D.  
Reg. No. 44,217

Date: 12/19/06

Fish & Richardson P.C.  
Citigroup Center  
52nd Floor  
153 East 53rd Street  
New York, New York 10022-4611  
Telephone: (212) 765-5070  
Facsimile: (212) 258-2291

|  |  |  |                                      |
|--|--|--|--------------------------------------|
| Substitute Form PTO-1449<br>(Modified)<br><br><b>Information Disclosure Statement<br/>by Applicant</b><br>(Use several sheets if necessary)<br><br>(37 CFR §1.98(b)) | U.S. Department of Commerce<br>Patent and Trademark Office | Attorney's Docket No.<br><b>00530-095002</b> | Application No.<br><b>10/733,212</b> |
|  | Applicant<br><b>Donald W. Kufe</b>                         |  |                                      |
|  | Filing Date<br><b>December 11, 2003</b>                    | Group Art Unit<br><b>1633</b>                |                                      |

| U.S. Patent Documents |           |                 |                  |          |       |          |                            |
|-----------------------|-----------|-----------------|------------------|----------|-------|----------|----------------------------|
| Examiner Initial      | Desig. ID | Document Number | Publication Date | Patentee | Class | Subclass | Filing Date If Appropriate |
|                       | AA        |                 |                  |          |       |          |                            |
|                       | AB        |                 |                  |          |       |          |                            |
|                       | AC        |                 |                  |          |       |          |                            |
|                       | AD        |                 |                  |          |       |          |                            |
|                       | AE        |                 |                  |          |       |          |                            |
|                       | AF        |                 |                  |          |       |          |                            |
|                       | AG        |                 |                  |          |       |          |                            |
|                       | AH        |                 |                  |          |       |          |                            |
|                       | AI        |                 |                  |          |       |          |                            |
|                       | AJ        |                 |                  |          |       |          |                            |
|                       | AK        |                 |                  |          |       |          |                            |

| Foreign Patent Documents or Published Foreign Patent Applications |           |                 |                  |                          |       |          |             |    |
|---|-----------|-----------------|------------------|--------------------------|-------|----------|-------------|----|
| Examiner Initial  | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation |    |
|   |           |                 |                  |                          |       |          | Yes         | No |
|   | AL        | WO 02/22685 A2  | 03/21/2002       | WIPO                     | C07K  | 16/00    |             |    |
|   | AM        | WO 96/03502 A2  | 02/08/1996       | WIPO                     | C12N  | 15/12    |             |    |
|   | AN        |                 |                  |                          |       |          |             |    |
|   | AO        |                 |                  |                          |       |          |             |    |
|   | AP        |                 |                  |                          |       |          |             |    |

| Other Documents (include Author, Title, Date, and Place of Publication) |           |   |
|---|-----------|---|
| Examiner Initial  | Desig. ID | Document  |
|   | AQ        | Gay et al., "Selective BRB2 SH2 Inhibitors as Anti-RAS Therapy", Int. J. Cancer, 83(2):235-241 (1999)   |
|   | AR        | Li et al., "The Epidermal Growth Factor Receptor Regulates Interaction of the Human DF3/MUC1 Carcinoma Antigen with c-Src and $\beta$ -Catenin", J. Biol. Chem., 276(38): 35239-35242 (2001)  |
|   | AS        | Li et al., "The c-Src Tyrosine Kinase Regulates Signaling of the Human DF3/MUC1 Carcinoma-associated antigen with GSK3 $\beta$ and $\beta$ -Catenin", J Biol. Chem., 276(9): 6061-6084 (2001) |
|   | AT        | Li et al., "The Human DF3/MUC1 Carcinoma-Associated Antigen Signals Nuclear Localization of the Catenin p120 <sup>cas</sup> ", Biochem. Biophys. Res. Commun., 281:440-443 (2001)             |

|  |                 |
|--|-----------------|
| Examiner Signature   | Date Considered |
| EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |                 |

|   |  |                                       |                               |
|---|--|---------------------------------------|-------------------------------|
| Substitute Form PTO-1449<br>(Modified)  | U.S. Department of Commerce<br>Patent and Trademark Office | Attorney's Docket No.<br>00530-095002 | Application No.<br>10/733,212 |
| <b>Information Disclosure Statement<br/>by Applicant</b><br>(Use several sheets if necessary) |  | Applicant<br>Donald W. Kufe           |                               |
|   |  | Filing Date<br>December 11, 2003      | Group Art Unit<br>1633        |
| (37 CFR §1.98(b))   |  |                                       |                               |

| Other Documents (Include Author, Title, Date, and Place of Publication) |           |   |
|---|-----------|---|
| Examiner Initial  | Desig. ID | Document  |
|   | AU        | Pandy et al., "Association of the DF3/MUC1 Breast Cancer Antigen with Grb2 and the Sos/Ras Exchange Protein", <i>Can. Res.</i> , 55:4000-4003 (1995)  |
|   | AV        | Rawcastle et al., "Tyrosine Kinase Inhibitors. 14. Structure-Activity Relationships for Methyl-amino-substituted Derivatives of 4-[(3-Bromophenyl)amino]-6-(methylamino)-pyrido [3,4- <i>d</i> ] pyrimidine (PD 158780), a Potent and Specific Inhibitor of the Tyrosine Kinase Activity of Receptors for the EGF Family of Growth Factors", <i>J. Med. Chem.</i> , 41:742-751 (1998) |
|   | AW        | Yamamoto et al., "Interaction of the DF3/MUC1 Breast Carcinoma-associated Antigen and $\beta$ -Catenin in Cell Adhesion", <i>J. Biol. Chem.</i> , 272(19):12492-12494 (1997)  |

|  |                 |
|--|-----------------|
| Examiner Signature   | Date Considered |
| EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |                 |